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Notice of Allowability

Application No.

10/604,215

Examiner

Steven S. Paik

Applicant(s)

MCCARTNEY, JAMES I.

Art Unit

2876

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the Amendment filed March 13, 2006.
2. ☒ The allowed claim(s) is/are 1,2,4,7-10 and 12-21.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input checked="" type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date <u>6/7/06</u> . |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____ | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____ |

DETAILED ACTION

Response to Amendment

1. Receipt is acknowledged of the Amendment filed March 13, 2006.

EXAMINER'S AMENDMENT

2. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Mr. Barry L. Haley (Reg. No. 25,339) on June 7, 2006.

The application has been amended as follows:

IN THE CLAIMS:

8. (Currently Amended) A method for the in-house bar code error detection of a large volume of mail, comprising the steps of:

providing a database with names, addresses and bar codes for printing on mail pieces and post office bar code specifications;

printing a name, address, and bar code on each mail piece;

obtaining bar code data associated with a piece of mail during ~~a~~ the print run;

performing an error detection check on the mail piece bar code data during the print run to find errors, where the step of performing an error detection check includes the additional steps of

comparing the optically captured image to said post office bar code specifications;
and

comparing the optical bar code image to the bar code information intended to be printed on the piece of mail during the print run after the name, address and bar code is printed on each mail piece;

generating an error sampling report during the print run including an error rate relating to the step of performing bar code error detection check; and
certifying the steps of comparing and the error rate based on the sampling report.

Allowable Subject Matter

3. Claims 1, 2, 4, 7-10, and 12-21 are allowed.

The following is an examiner's statement of reasons for allowance: In amended claims 1, the mail piece mover transports each mail piece from the printer to the optical detector during the print run. The bar code image that is printed on each mail piece during the print run is compared during the print run to detect for errors. This step and structure in the claimed invention is not suggested by the combination of Baker and Bernardo. In the Baker, et al. device, U.S. Patent 5,862,243, column 3, lines 49 through 54, describe the passage of a mail piece to print head 38. "Print head 38 selectively marks mail in transport path 28." This is not printing the name, address, zip code and locator on the envelope. The print head shown as element 38 is strictly as described in column 5, lines 6 through 13. "After imaging, the mail piece is moved to print head 38 and a unique number ("N") or other identifying mark is printed on the mail piece in step 512." This is different in structure and function than the claimed invention as recited in amended claims 1, 2, 4, 7-10 and 15-17. The Bernardo patent does not correct deficiency and difference

Art Unit: 2876

the claimed invention. Again, Bernardo deals also with pre-printed envelopes and does not provide for corrections during the printing process when the name, address and bar code is placed on the envelope. After further search and thorough examination of the present application and in view of the Applicant's arguments and amendments, claims 1, 2, 4, 7-10, and 12-21 are found to be in condition for allowance over the prior art made of record.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Steven S. Paik whose telephone number is 571-272-2404. The examiner can normally be reached on Monday - Friday 5:30a-2:00p (Maxi-Flex*).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael G. Lee can be reached on 571-272-2398. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would

Art Unit: 2876

like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.


Steven S. Paik
Primary Examiner
Art Unit 2876

ssp